GP 27768
#34

In the United States Patent and
Trademark Office

Serial Nr.   :   08/813,247

Appn. Filed   :   March 7, 1997

Applicant   :   Mitsuhiro Aida

Examiner/GAU   :   *Robert Bourque/2776*

Mailed : May 28, 2000

At   : Nara City, Japan

The Office of Assistant
Commissioner of Patents

Sir:

PTITION under 37 CFR 1.17(m)(1)

Applicant hereby respectfully peititions that the above patent application be
revived.

Applicant, to his regret, overlooked that the paragraph 2 of the rule CFR 1.8
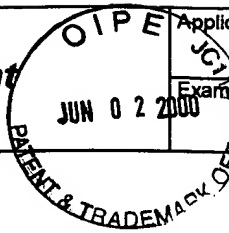specifies that requests for CPA will not be afforded a mailing date.

The petition fee, $605 check, is enclosed herewith.

Very respectfully,

Applicant:

Mitsuhiro Aida

MBS & Juris Doctor

3-8-25 Saikujo-cho

Nara City, Nara, Japan 630-8453

Tel:81-742-61-7708

Date: March 28, 2000

Notice of Abandonment

Application No. 08/813,247	Applicant(s) AIDA, Mitsuhiro
Examiner Robert Bourque	Group Art Unit 2776

This application is abandoned in view of:

☒ applicant's failure to timely file a proper response to the Office letter mailed on _____ *Oct 13, 1999* _____

    ☒ A response (with a Certificate of Mailing or Transmission of _____ *N/A* _____) was received on _____ *Apr 20, 2000* _____ , which is after the expiration of the period for response (including a total extension of time of _3_ month(s)) which expired on _____ *Apr 13, 2000* _____ .

    ☐ A proposed response was received on _____ , but it does not constitute a proper response to the final rejection.

    (A proper response to a final rejection consists only of: a timely filed amendment which places the application in condition for allowance; a Notice of Appeal; or the filing of a continuing application under 37 CFR 1.62 (FWC)).

    ☐ No response has been received.

☐ applicant's failure to timely pay the required issue fee within the statutory period of three months from the mailing date of the Notice of Allowance.

    ☐ The issue fee (with a Certificate of Mailing or Transmission of _____) was received on _____ .

    ☐ The submitted issue fee of $_____ is insufficient. The issue fee required by 37 CFR 1.18 is $_____ .

    ☐ The issue fee has not been received.

☐ applicant's failure to timely file new formal drawings as required in the Notice of Allowability.

    ☐ Proposed new formal drawings (with a Certificate of Mailing or Transmission of _____) were received on _____ .

    ☐ The proposed new formal drawings filed _____ are not acceptable.

    ☐ No proposed new formal drawings have been received.

☐ the express abandonment under 37 CFR 1.62(g) in favor of the FWC application filed on _____ .

☐ the letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.

☐ the letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.

☐ the decision by the Board of Patent Appeals and Interferences rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.

☐ the reason(s) below:

JOSEPH H. FEILD
PRIMARY EXAMINER

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/813,247	03/07/97	AIDA	M

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NARA CITY
NARA 630 8453
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LM02/0518

OIPE
JUN 0 2 2000
PATENT & TRADEMARK OFFICE

AIR MAIL

EXAMINER
BOURQUE

ART UNIT	PAPER NUMBER
2776	

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

See attached Notice of Abandonment.
The Request for CPA with attached amendment
and drawings was filed after the period for
response to the Final Rejection dated 10/13/1999.
Therefore, the Request for CPA is denied because
it was not received in the Office while the
parent case was copending. Applicant is referred
to 37 CFR § 1.8, which notes that even were a
certificate of mailing attached to the response (which
was not), the response would have necessarily been
deposited in U.S. postal service; and additionally
it is noted that paragraph 2 of the rule specifies
that Requests for CPA will <u>not</u> be afforded a mailing
date. Rather, applications are afforded filing dates based
upon the date in which they are received in the Office
(in this case, 4/20/2000). Applicant is invited to petition
for a refund of the filing fee.

PTO-90C (Rev. 2/95)

2 - Mail Copy

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